

Remarks

Claims 1-16 are pending in this application. Claim 1 has been amended, and claims 2-16 have been added by the foregoing amendment.

In the Final Office Action dated March 8, 2006, the Examiner rejected claim 1 under 35 U.S.C. § 103(a) as allegedly being obvious over McGhee et al. (US 6,013,586) in view of Nakao (US 4,608,114). Applicant respectfully requests reconsideration for the reasons set forth below.

Applicant has amended claim 1, which has been broadened in several respects, to clarify that the “tape” is vinyl, which is supported in the specification. *See, e.g.*, Specification, p. 5, lines 1-2. Thermal welding of vinyl tape to synthetic fiber fabric (*i.e.*, melting material to material as taught in Applicant’s specification at page 5, lines 10-11) is neither taught nor suggested by McGhee et al. or Nakao, alone or in combination. Although McGhee et al. briefly mention taping seams, *see* McGhee et al. at col. 1, lines 49-50; col. 2, line 4, McGhee et al. do not disclose or suggest melting vinyl tape to an underlying fabric. Likewise, Nakao does not have any such disclosure or suggestion. Instead, Nakao teaches use of an adhesive tape, that is, tape which has a heat soluble adhesive applied to one side of the tape, and the adhesive is melted, not the tape itself or the underlying fabric. *See* Nakao at col. 4, lines 24-34. In fact, Nakao teaches away from melting the tape itself or the underlying fabric by stating the following: “If hot air from the hot air jetting nozzle (30) strikes directly on the material, the material itself expands or contracts locally, causing creases.” Nakao at col. 4, lines 48-55. Thus, the Examiner has failed to establish a *prima facie* case of obviousness. Furthermore, even if there had been a *prima facie* case of obviousness established, the U.S. Army Memorandum dated 20 November 2000 submitted with Applicant’s earlier response of December 13, 2005 is objective evidence

that Applicant's claimed invention solves a long felt but previously unsolved need and therefore is not obvious.

Applicant has added new claims 2-16 directed to novel subject matter described in the specification. For the Examiner's convenience, reference is made to the following portions of the specification for the stated features:

- Claim 2, strips of sheet vinyl material: p. 5, lines 1-2;
- Claims 3, 6 and 13, cleaning the fabric: p. 7, lines 5-16;
- Claims 4 and 8, wiping with lacquer thinner: p. 7, lines 11-12;
- Claim 5, polyester material: p. 5, line 5;
- Claim 6, melting the strip and the fabric together: p. 5, lines 10-11;
- Claims 7 and 13, laying the fabric on a flat working surface: p. 8, lines 9-10;
- Claim 9, polyester and nylon material: p. 5, line 5;
- Claims 10 and 13, automatic hot air welder: p. 5, line 10;
- Claims 11 and 13, substantially centering the strip on the seam: p. 7, lines 17-19; p. 9, lines 15-17;
- Claim 12 and 13, virtually water-impervious: p. 5, line 23;
- Claim 14, tent: p. 2, line 6;
- Claim 15, tarp: p. 2, line 6;
- Claim 16, fabric weather barrier: p. 2, line 6.

The foregoing amendments involve no new matter.

In view of the foregoing, Applicant respectfully submits that claims 1-16 are in condition for allowance, and such is earnestly requested. If the Examiner believes that a telephone

conference would advance the prosecution of this application, the Examiner is respectfully requested to contact the undersigned attorney.

This Request for Continued Examination is submitted along with a Petition to Revive and an Information Disclosure Statement. To the extent required, Applicant requests that this submission also be treated as a petition for any extensions of time that may be necessary to render this submission timely. The fees are included with the electronic transmission of this document. However, if the fees are deficient, the Commissioner is authorized to charge any deficiency in fees or credit any overpayment to Deposit Account No. 03-3483.

Respectfully submitted,

Court B. Allen

Courtenay B. Allen
Reg. No. 43,469
David G. Henry
Reg. No. 32,735
Cox Smith Matthews Incorporated
112 East Pecan Street, Suite 1800
San Antonio, Texas 78205
(210) 554-5389
(210) 226-8395 (Fax)
ATTORNEYS FOR APPLICANT

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